

ATTACHMENT 1

APPLICATION OF i-21 USA INC.

Question 9

This Application qualifies for streamlined processing pursuant to Section 63.12 of the Commission's Rules, because i-21 USA Inc. ("i-21") qualifies for a presumption of non-dominance under Section 63.10(a)(3) of the Commission's Rules. i-21 itself is not a foreign carrier. As set forth below, i-21 is affiliated with non-dominant foreign carriers located in countries that are Members of the World Trade Organization. i-21's foreign affiliates are not listed on the Commission's *List of Foreign Telecommunications Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets*, released June 18, 1999. Its foreign affiliates are small companies that are relatively new market entrants offering services in competition with dominant foreign carriers and others. At this time, i-21's foreign affiliates each hold significantly less than 50 percent market share in the international transport and local access markets in the respective countries in which they operate. Moreover, i-21's foreign affiliates do not have the ability to discriminate against unaffiliated U.S. international carriers through the control of bottleneck services or facilities to exercise market power in the countries in which they operate. Accordingly, i-21 lacks sufficient market power on any U.S.-international route to affect competition adversely in the U.S. market. Therefore, i-21 should be presumptively classified as a non-dominant carrier on all international routes.

In addition, i-21 has no affiliation with a dominant U.S. carrier whose international switched or private line services i-21 seeks authority to resell, and does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of such services.

Question 11

i-21 provides the following information and certifications as required in Section 63.18(i) through (m) of the Commission's Rules, 47 C.F.R. § 63.18(i)-(m):

- (i) i-21 certifies that it is not a foreign carrier within the meaning of Section 63.09(d) of the Commission's Rules, but it is affiliated with the following non-dominant foreign carriers in the following countries:

COUNTRY	FOREIGN AFFILIATE
Austria	i-21 Future Communication GmbH Austria
Belgium	i-21 Belgium BV
Belgium	Interoute Belgium BV

COUNTRY	FOREIGN AFFILIATE
France	21st Century Communication (France) SAS
France	Interoute Communication France SAS
Germany	i-21 Germany GmbH
Germany	Interoute Telecom Deutschland GmbH
Italy	Interoute Telecomunicazioni Italia SpA
Italy	Eurostrada SpA
Netherlands	i-21 Netherlands BV
Netherlands	Interoute Netherlands BV
Spain	21st Century Communication (Spain) SA
Switzerland	i-21 Schweiz AG
Switzerland	Interoute Telecommunications (Switzerland) SA
United Kingdom	i-21 Future Communication Ltd.
United Kingdom	i-21 Ltd.
United Kingdom	Interoute Telecommunications (UK) Ltd.

(j) i-21 certifies that it seeks to provide international telecommunications services to all global points (including those points identified in the table above), except those points on the Commission's Exclusion List.

(k) Austria, Belgium, France, Germany, Italy, The Netherlands, Spain, Switzerland and the United Kingdom are Members of the World Trade Organization.

(l) i-21 may resell the international switched services of an unaffiliated U.S. carrier for the purpose of providing international telecommunications services to a country where it is affiliated with a foreign carrier. The foreign affiliates of i-21 satisfy the presumption of non-dominance pursuant to Section 63.10(a)(3) as discussed above in the response to Question 9.

(m) As described in the response to Question 9 above, i-21 qualifies for non-dominant treatment for the provision of all international telecommunications services on any U.S. international route pursuant to Section 63.10(a)(3) of the Commission's Rules.

Question 12

As discussed above, i-21 seeks authority to provide service to all global points (including Austria, Belgium, France, Germany, Italy, The Netherlands, Spain, Switzerland and the United Kingdom), except those points on the Commission's Exclusion List.

Question 13

As discussed above, i-21 seeks authority to provide service to all global points, except those points on the Commission's Exclusion List.

Question 15

- 63.18(d): i-21 has not previously received authority under Section 214 of the Communications Act, as amended.
- 63.18(e)(4): Pursuant to Section 63.22(a) and 63.23(a)(2) of the Commission's Rules, i-21 requests authorization to provide international facilities-based and resold services between the United States and the countries in which i-21 has non-dominant foreign affiliates as listed in response to Question 11 above.
- 63.18(g): The facilities-based authority under Section 63.18(e)(4) requested above is categorically excluded from environmental processing under Section 1.1306 of the Commission's Rules. Therefore, an environmental assessment pursuant to Section 1.1311 of the Commission's Rules is not necessary.